

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

BARBARA E. VARNER,

Plaintiff

vs.

COMMONWEALTH OF PENNSYLVANIA,
NINTH JUDICIAL DISTRICT, CUMBERLAND
COUNTY COURT OF COMMON PLEAS,
ET AL.,

Defendants.

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CIVIL ACTION

NO. 1:CV 01-0725

JUDGE YVETTE KANE

**BRIEF IN SUPPORT OF MOTION TO EXTEND LENGTH
OF SUMMARY JUDGMENT BRIEF**

I. FACTS & PROCEDURAL HISTORY

Plaintiff, Barbara Varner, filed this action alleging Title VII violations by Defendants. Plaintiff, an employee of the Juvenile Probation Department of the Court of Common Pleas of Cumberland County, alleges Defendants Graham and Osenkarski sexually harassed her. Further, she claims Defendants Commonwealth of Pennsylvania, Ninth Judicial District, Cumberland County Court of Common Pleas and Cumberland County failed in their duties as her co-employers to remedy the situation.

A scheduling order issued in the action requires dispositive motions to be filed by December 19, 2003. Judicial Defendant and individual Defendants seek permission to file briefs in support of their respective Motions for Summary Judgment in excess of the fifteen (15) page limit. All counsel concur in this request.

II. ARGUMENT

Judicial Defendant and individual Defendants are preparing their respective Motions for Summary Judgment. Judicial Defendant seeks an extension not to exceed forty (40) pages. Individual Defendants seek an extension not to exceed thirty (30) pages. Defendants ask to exceed the page limits due to the complicated nature of Title VII actions, an area in which the case law is rapidly developing. Extensive discovery has occurred in this matter. More than twenty depositions have been taken. The Undisputed Material Facts in the case exceed the fifteen (15) page limit. Defendants request the extended page limits so they can fully inform the Court regarding the numerous issues in this action. All parties concur in this request.

III. CONCLUSION

WHEREFORE, Judicial Defendant Commonwealth of Pennsylvania, Ninth Judicial District, Cumberland County Court of Common Pleas and Individual Defendants S. Gareth Graham and Joseph Osenkarski ask the Court to grant their Joint Motion to Extend the Length of their briefs in support of their respective Summary Judgment Motions.

Respectfully submitted,

s/A. Taylor Williams

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CERTIFICATE OF SERVICE

The undersigned counsel hereby certifies that on December 15, 2003, she personally caused to be served upon the following a true and correct copy of the foregoing *Motion to Dismiss Plaintiff's Complaint*, filed on behalf of Commonwealth of Pennsylvania, Ninth Judicial District, Cumberland County Court of Common Pleas, by mailing same first class, postage pre-paid, U.S. mail to:

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